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Paper No. 28

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OFFICE OF PETITIONS

ON PETITION

In re Application of :
Tsukasa Yamamoto et al. :
Application No. 09/221,656 :
Filed: December 23, 1998 :
Attorney Docket No. 38413.7 :

This is a decision on the petition under 37 CFR 1.137(b) filed August 8, 2003, to revive the above-identified application.

The petition is GRANTED.

The above-identified application became abandoned as a result of petitioner's failure to file an appeal brief (and fee required by 37 CFR 1.17(c)) within the time period provided in 37 CFR 1.192(a). As an appeal brief (and appeal brief fee) was not filed within two (2) months of the Notice of Appeal filed January 23, 2002, certificate of mailing dated November 8, 2001, and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. See 37 CFR 1.192(b) & 1.197(c). As no claim was allowed, the above-identified application became abandoned on January 9, 2002. See MPEP 1215.04.

Telephone inquiries concerning this decision should be directed to Latrice Bond at (703) 308-6911.

The application file is being forwarded to Technology Center AU 3628.

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For Patent Examination Policy